

# **Exhibit 1**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: ) Docket No. 18 C 864  
)  
DEALER MANAGEMENT SYSTEMS )  
ANTITRUST LITIGATION. )  
) Chicago, Illinois  
) April 6, 2018  
) 10:00 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS - STATUS  
BEFORE THE HONORABLE AMY J. ST. EVE

APPEARANCES:

For Plaintiffs: KELLOGG, HANSEN, TODD, FIGEL &  
FREDERICK, PLLC  
BY: MR. DEREK T. HO  
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MR. JANA K. LAW,  
via teleconference,  
20 Rahling Circle  
Little Rock, Arkansas 72223

1 MR. CASERIA: Sure.

2 MS. MILLER: As in a week from?

3 THE COURT: As in the 13th.

4 MS. MILLER: Yeah.

5 THE COURT: April 13th.

6 MS. MILLER: A week from today, I meant.

7 THE COURT: Yes, a week from today.

8 So, April 13th, please, for the defendants to file  
9 their supplement.

10 And plaintiffs file their supplement one week later.

11 I do not need a reply supplement. You already know  
12 what the replies say. If I want a reply supplement, I will  
13 ask for it; but, otherwise, I do not want it.

14 MS. MILLER: And to be clear, your Honor, you are  
15 just asking us to supplement the law and not re-argue the  
16 points?

17 THE COURT: I do not need you to re-argue them. The  
18 facts are in there.

19 MS. MILLER: Great.

20 THE COURT: I do not know if there is a difference in  
21 where the Seventh Circuit comes out and the Ninth Circuit  
22 comes out that the Supreme Court has not addressed. I know  
23 there is quite a bit of juris prudence in the Seventh Circuit  
24 on antitrust law. Maybe there is no difference and you can  
25 tell me that.

1 MS. MILLER: Okay.

2 THE COURT: Okay.

3 Yes, Mr. Ho.

4 MR. HO: One other housekeeping issue, your Honor.

5 As I mentioned at the last status conference, we are about to  
6 file another case on behalf of another vendor. We've been  
7 working with the defendants on a stipulation by which the  
8 parties would agree -- or at least the defendants would not  
9 oppose -- a process where we would direct file in this  
10 district, but the case would be deemed to have been filed in  
11 the Western District of Wisconsin, preserving their right to  
12 object to venue.

13 THE COURT: That makes the most sense.

14 MS. MILLER: We said, your Honor, we would not -- we  
15 weren't sure why the Western District of Wisconsin. It's a  
16 Florida company, at least from what we can tell, not  
17 registered in Wisconsin. But we said if your Honor was  
18 inclined to allow a direct file, we would not oppose the  
19 motion, but we weren't going to stipulate to its filing.

20 THE COURT: I will allow -- and I thought my original  
21 scheduling order said that you can file -- directly file. It  
22 makes the most sense from an efficiency and cost standpoint.

23 So, yes, you may directly file that here.

24 THE CLERK: But please make sure on the civil cover  
25 sheet, mention the MDL or it's not going to get sent to her.

1 MR. HO: We will, and we'll submit a proposed order,  
2 as well.

3 MS. MILLER: Do we need a proposed order or do they  
4 just have to file?

5 THE CLERK: Just file and just mention on the civil  
6 cover sheet the MDL.

7 MS. MILLER: Okay.

8 MR. HO: Okay.

9 THE COURT: Then it will come directly here. So,  
10 just make sure you have the MDL number and my name and an  
11 indication that it is being filed directly in here. I think  
12 if you need to cite a prior order, I am pretty sure I put that  
13 in my initial --

14 MR. HO: Okay. We'll double --

15 THE COURT: -- scheduling order here.

16 Anything else? Any other housekeeping?

17 MR. BARZ: No, your Honor.

18 MR. KAPLAN: No, your Honor.

19 MS. GULLEY: Thank you.

20 MS. MILLER: Thank you.

21 MR. HO: Thank you, your Honor.

22 THE COURT: I will see you later this month.

23 \* \* \* \* \*  
24 I certify that the foregoing is a correct transcript from the  
record of proceedings in the above-entitled matter.

25 /s/ Joseph Rickhoff  
Official Court Reporter

April 11, 2018